

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

MICHAEL LAYNE SMITH (01)

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§

CRIMINAL ACTION NO. 6:07cr57

ORDER

The above entitled and numbered criminal action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b)(3). The Report of the Magistrate Judge which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The parties have made no objections to the Report and Recommendation.

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court conditional upon a review of the presentence report.

So ORDERED and SIGNED this 3rd day of December, 2007.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**